

# Export Controls

The vital role that controls play for exporters.

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**E**XPORT and import controls and trade sanctions are now a global norm for businesses looking to trade or facilitate trade. They form a key role in ensuring that the movement of goods, technology, software and services around the world is safe and secure.

Controls are only applied for very specific traded goods – both tangible and intangible. The worries that seemingly innocent materials could be used to develop weapons of mass destruction is very real. This is the same with certain products that could also be used in different ways that might cause the abuse or violation of people's human rights or safety. Furthermore, controls are often used for the imposition of sanctions or arms embargoes from the European Union or the United Nations. These are very important monitoring tools for the protection of global trade.

Controls do not just apply to obviously dangerous products (i.e. weapons) – though the defence industry is undoubtedly most affected by them. There are some 'dual-use' products which are liable to controls – i.e. outwardly innocuous goods, software or services that could otherwise be used towards the construction of dangerous weapons. Items like batteries, goods containing chemicals like chlorine or component parts in certain computers are all on the government's 'Control List'.

Exporters of such products will therefore need to apply for an 'Export Licence'

and ensure compliance with control-related regulations, both domestic and international.

## ENSURING COMPLIANCE

Although there is some international commonality in approach, regulations can differ considerably from jurisdiction to jurisdiction. Regulations are also under frequent review, and changes may be significant. The penalties for non-compliance can be severe, including multi-million pound fines, loss of permission to trade and even custodial sentences. Even where the penalties are minor, the impact on reputation, access to trade facilitations, and therefore business, may prove costly.

However, demonstrable compliance with export and import controls and trade sanctions can also offer a competitive advantage both in terms of being able to conduct business with certain countries and access to trade facilitations. It also ensures goods and technology can flow in a timely and cost-effective manner which is good for both exporters and importers businesses.

To ensure both compliance and expeditious trade, exporting and importing organisations such as industry and academic institutions, need access to good-quality and up-to-date information from all relevant jurisdictions. Many appoint export control professionals and points of contact who develop Internal Compliance Programmes.

However, until now, there has been no industry-approved recognition of what the professional knowledge and skills around export controls are.

## EXPORT CONTROL PROFESSION

It is for this reason that the Institute of Export & International Trade (IOE&IT) is launching a new 'Export Control Profession', with the support of the Export Control Joint Unit of the Department for International Trade (the UK's regulator in issues relating to export controls), HMRC and ADS.

The new profession seeks to enable and promote excellence in compliance with export and import control, and trade sanction regulations. As a membership body it will represent Export Control Professionals, providing them with essential resources, professional points of contact and learning support for the industry.

## MEMBERS WILL BE ABLE TO:

- Gain professional recognition of their knowledge and competence through post-nominal letters, which will only be accredited to those with sufficient experience or qualifications
- Gain professional and career development through a combination of qualifications and an industry specific Continuous Professional Development (CPD) programme
- Register for accreditation of consultancy work/training expertise
- Enter a support network through which they can connect and share information with other compliance professionals, both home and abroad
- Access regular bulletins with the latest local, national and international developments in the industry.

Employers will also be able to access the profession using their membership of the IOE&IT, ensuring the competence and knowledge of their staff through the qualifications and CPD programme, thereby reducing their risks of non-compliance and the associated costs of fines and other sanctions. Further, through the new body they will gain access to a pool of accredited export control specialists – a valuable recruitment resource.

This new profession is an essential step to ensuring compliance and competence among our exporting community. To find out more visit: [export.org.uk/page/ExportControls](http://export.org.uk/page/ExportControls)

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